

MONTANA TAVERN TIMES

Guideline for Operating Legal Sports Pool Boards – September 1, 2013

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Guideline for Operating Legal Sports Pool Boards

It's the season again to offer sports pools on College and NFL football games—the most popular of all activities for sports pools. This article is intended as a guideline to operating sports pools legally. First, some basics regarding sports pools:

GENERAL SPORTS POOL RULES

Montana law limits betting on sports pools in the following ways:

- Each chance to participate (each space or chance) must be sold for the same amount.
- The price of a chance may not exceed \$5 (\$25 for pools started October 1st or after).
- The total prize for a sports pool not limited by entries may not exceed \$500 (\$2500 for pools started October 1st or after).
- Pools may not be combined in any way so as to exceed the prize limit.
- A sports pool may not be conducted on a segment or portion of a single sporting event. Prizes may be awarded at intervals of a contest provided there is a payout on the final score as well. For example a \$500 sports pool may award \$125 at the end of the first quarter, at half time, the end of the third quarter and on the final score, but the final score may not be less than any other payout
- The winners of the sports pool must receive 100% pay out of the pool.
- There must be at least one winner in every sports pool.
- Every participant in the pool must have an equal chance to win.
- Teams or competitors must be randomly assigned to the participants and only after all chances have been sold.

**PRIOR TO THE SALE OF ANY CHANCE, THE SPORTS POOL CARD
MUST CLEARLY INDICATE:**

1. The rules for conducting the sports pool.
2. The name of the sports event or series of events covered by the card.
3. The name of the competitors in the sports event or series of events.
4. The date of the sports event or dates of the series.
5. The number of chances (spaces) in the pool.
6. The cost to the participant for each chance (space).
7. The amount to be paid to the winner(s).
8. Pre-determined intervals for when a prize will be awarded.
9. Name of person operating the sports pool.
10. Name or initials of participants who purchased chances on card
11. Amount or value of each individual prize and total value of all prizes.
12. After each prize is awarded, the names of the winners of each prize must be prominently displayed on each card.
13. All sports pool cards must be retained by the person conducting the sports pool for 90 days after the event or last event in a series of events, whichever occurs first.
14. After the sale of chances begins, the person conducting the sports pool cannot cancel or alter the sports pool card in any manner and is required to award all prizes at the end of the sports event in accordance with ARM 23.16.1702.
15. If the value of a merchandise prize is less than the amount of money paid by all participants for the chance to participate, the person conducting the sports pool shall award the balance to the winner(s) in cash.

Sports pools are legal under Montana law, provided they are conducted according to department rules. The Department of Justice and its agents are bound by the language found in Mont. Code Ann. § 23-5-111 which states:

- **In view of Art. III, Sec. 9 of the Montana Constitution, parts 1 - 8 of this chapter must be strictly construed by the department and the courts to allow only those types of gambling and gambling activity that are specifically and clearly allowed by those parts.**

Hence the department is bound by law to allow only those activities that are specifically and clearly allowed by law.

Rules pertaining to all sports pools may be found in the Administrative Rules of Montana, beginning with section 23.16.1701.

TRADITIONAL SPORTS POOL CARDS

The traditional 25, 50, or 100 space sports cards/boards are fairly simple in their conduct. Each chance is sold for no more than \$5 (no more than \$25 for boards started on or after October 1st). After all spaces on a board are sold, numbers are randomly drawn for the horizontal and vertical axis. Any spaces not sold by 'kickoff' time are to be purchased by the sponsor of the board. Winners are determined by the only or final digit in the teams scores. The maximum prize for a sports pool may not exceed \$500 (\$2,500 for boards started on or after October 1st). This is figured off the maximum 100 square/space sports pool board for which all chances are sold for \$25 (on or after Oct. 1st) each.

Red's Bar \$500 Sports Pool - 100 Chances
Packers vs. Bears - Monday Night Football - 11/27/00
\$5 per space - \$250 Awarded Each Half

P A C K E R S

9 7 5 3 1 8 6 4 2 0

| | | | | | | | | | | | |
|-----------------------|---|-------------|----------------------|------------------|------------------|-------------|-------------|-------------|-------------|------------------|------------------|
| B E A R S | 0 | G M | O F | B J | RED S | D T | L A | H T | P T | H E | O S |
| | 2 | C M | N O | S M | M R | B R | R D | W C | J R | T S J | F O |
| | 4 | D W | E D | A P | J O | J R | C O | C S T | R O | J J O | E W |
| | 6 | M O | M A | M I A | P B | K J | Z X | X Y | S B | J P | U M |
| | 8 | C C | D P | P H I L | S S | K I D | M A D | L A M | C H U | M K | M S U |
| | 1 | T O | T P | B K | R J | B B | J W C | P O | G C | M I C K | O S U |
| | 3 | T K | J O P | W W W | S U R | M F | A R | R A | W W | P A T | K S U |
| | 5 | B B | T R Y | B C | K E K I | J L | G W | G B | B C | W J C | W E S T |
| | 7 | M L K | H T | R L | S Y | S T | S G | C M | C O N | N Y | S S W |
| | 9 | G B | R K | A B | P G | S A | S T | J I M | B W | D J | H U |

1st Half: Packers 7 Bears 3 - Joe Pero-\$250; Final: Bears 24 Packers 17 - Ed Nestor - \$250.

Traditional Sports Board example

“28 CLUB” SPORTS CARDS

Another popular board is the “28 Club” (Selected Point) Sports Pools. Such pools are limited to 32 entries because there are only 32 NFL football teams. In this case, on or after October 1st, the total prize limit can only reach \$800, even with the \$25 entry fee. $\$25 \times 32 \text{ teams} = \800 . All entry fees can only be paid once at the beginning of the sports pool.

There is no limit to the number of “28 Club” (Selected Point) sports pools that can be offered, but the pools cannot be combined in any fashion in order to exceed the price to participate or the prize to be won. Each board must be offered independently and the entry fee may never exceed \$5 (until October 1st when that price is allowed to go up to \$25). Once the prize is won by the participant having a team that scores “28” points (or any score chosen by the sponsor ahead of time) then the pool is ended and a new one may begin. Remember that the prize is carried over each week until it is won, but in no case may additional entry fees be charged.

Location Name: _____

2013 NFL '28' Club Sports Pool Board #1

32 Chances / \$5 Per chance / \$160 Prize (Winner is the participant whose randomly assigned team is first to score exactly 28 points in a game)

| NAME | TEAM | WK 1 | WK 2 | WK 3 | WK 4 | WK 5 |
|------|------|------|------|------|------|------|
| 1 | / | | | | | |
| 2 | / | | | | | |
| 3 | / | | | | | |
| 4 | / | | | | | |
| 5 | / | | | | | |
| 6 | / | | | | | |
| 7 | / | | | | | |
| 8 | / | | | | | |
| 9 | / | | | | | |
| 10 | / | | | | | |
| 11 | / | | | | | |
| 12 | / | | | | | |
| 13 | / | | | | | |
| 14 | / | | | | | |
| 15 | / | | | | | |
| 16 | / | | | | | |
| 17 | / | | | | | |
| 18 | / | | | | | |
| 19 | / | | | | | |
| 20 | / | | | | | |
| 21 | / | | | | | |
| 22 | / | | | | | |
| 23 | / | | | | | |
| 24 | / | | | | | |
| 25 | / | | | | | |
| 26 | / | | | | | |
| 27 | / | | | | | |
| 28 | / | | | | | |
| 29 | / | | | | | |
| 30 | / | | | | | |
| 31 | / | | | | | |
| 32 | / | | | | | |

Example of "28 Club" Board

NASCAR SPORTS CARDS

Another popular sporting activity for sports pools is NASCAR racing. Remember that the only legal way to offer a NASCAR sports pool is as a Multiple Competitor sports pool. In such a pool, 43 chances are sold (usually in a column on the left hand side of the sports pool card). When all 43 chances are sold, drivers are randomly assigned to the participants. The winner(s) is the participant whose driver finishes first. More than one prize may be offered (prize split, for example, on the top three finishers such as 50% for 1st place, 30% for 2nd place and 20% for 3rd place). Do NOT rely on your various vendor boards – they may not be legal and may not be approved by the Gambling Control Division.

